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1) Examiner A. Mehta	U.S. Patent and Trademark Office	(703) 872-9306	
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From: Edwin V. Merkel	Date: March 15, 2004	No. of Pages: 10 (including this page)	
<b>Comments:</b>  <b>Re: U.S. Patent Application Serial No. 09/426,783</b>			<b>RECEIVED</b> <b>CENTRAL FAX CENTER</b>  <b>MAR 15 2004</b>  <b>OFFICIAL</b>

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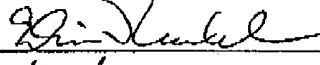
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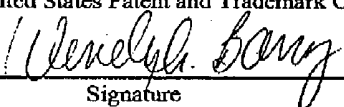
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From: Edwin V. Merkel	Date: March 15, 2004	No. of Pages: 10 (including this page)	Client/Matter: 19603/10303
User #: 5420	Ext: 1128	Disbursement Amount: \$	

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/426,783
		Filing Date	October 22, 1999
		First Named Inventor	Gonsalves et al.
		Group Art Unit	1638
		Examiner Name	A. Mehta
Total Number of Pages in This Submission	9	Attorney Docket Number	19603/10303 (CRF D-1043A)

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> A copy of the Notice to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input checked="" type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input checked="" type="checkbox"/> A self-addressed, prepaid postcard for acknowledging receipt <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks	<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 14-1138 for the above identified docket number.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Edwin V. Merkel Nixon Peabody LLP Clinton Square, P.O. Box 31051 Rochester, New York 14603-1051 Telephone: (585) 263-1128 Fax: (585) 263-1600
Signature	 Registration No. 40,087
Date	March 15, 2004

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March 15, 2004 Date	 Signature Wendy L. Barry Typed or printed name

# **FEE TRANSMITTAL FOR FY 2003**

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT**

(\$110

Complete if Known

Application Number	09/426,783
Filing Date	October 22, 1999
First Named Inventor	Gonsalves et al.
Examiner Name	A. Mehta
Art Unit	1638
Attorney Docket No.	19603/10303 (CRF D-1043A)

## **METHOD OF PAYMENT (check all that apply)**

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Deposit Account Name Nixon Peabody LLP

The Commissioner is authorized to: (check all that apply)

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## **FEE CALCULATION**

### **1. BASIC FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

**SUBTOTAL (1)**

(\$ 0

### **2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
-20** =	X		0
Independent Claims -3** =	X		0
Multiple Dependent X			0

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)**

(\$ 0

\*\*or number previously paid, if greater; For Reissues, see above

## **FEE CALCULATION (continued)**

### **3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	110	2251	55	Extension for reply within first month
1252	420	2252	210	Extension for reply within second month
1253	950	2253	475	Extension for reply within third month
1254	1,480	2254	740	Extension for reply within fourth month
1255	2,010	2255	1,005	Extension for reply within fifth month
1401	330	2401	165	Notice of Appeal
1402	330	2402	165	Filing a brief in support of an appeal
1403	290	2403	145	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	110	2452	55	Petition to revive - unavoidable
1453	1,330	2453	665	Petition to revive - unintentional
1501	1,330	2501	665	Utility issue fee (or reissue)
1502	480	2502	240	Design issue fee
1503	640	2503	320	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))
1801	720	2801	385	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application

Other fee (specify) Terminal Disclaimer Fee

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\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

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March 15, 2004  
Date

Signature  
Wendy L. Barry  
Typed or printed name

### **SUBMITTED BY**

Name (Print/Type)	Edwin V. Merkel	Registration No.	40,087	Telephone	(585) 263-1128
Signature	<i>Edwin V. Merkel</i>	(Attorney/Agent)		Date	March 15, 2004

SEND TO: Commissioner for Patents  
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PATENT  
Docket No.: 19603/10303 (CRF D-1043A)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAR 15 2004

Applicants : Gonsalves et al.  
Serial No. : 09/426,783  
Filed : October 22, 1999  
For : TOSPOVIRUS RESISTANCE IN PLANTS

Examiner:  
A. Mehta

Art Unit:  
1638

OFFICIAL

## SUPPLEMENTAL AMENDMENT

Mail Stop \_\_\_\_\_  
Commissioner for Patents  
P.O. Box 1450  
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Dear Sir:

In further response to the June 17, 2003, office action, please amend the  
above-identified patent application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of  
this paper.

**Remarks** begin on page 4 of this paper.